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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,979	09/19/2003	Peter Surma	34874-062 UTIL	5371
<div>64280      7590      11/13/2007 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY &amp; POPEO, P.C. 9255 TOWNE CENTER DRIVE SUITE 600 SAN DIEGO, CA 92121</div>			<div>EXAMINER HOANG, HIEU T</div> <div>ART UNIT      PAPER NUMBER 2152</div> <div>MAIL DATE      DELIVERY MODE 11/13/2007      PAPER</div>	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/665,979

Applicant(s)

SURMA ET AL.

Examiner

Hieu T. Hoang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This office action is in response to the communication filed on 10/09/2007.
2. Claims 1-18 are pending and presented for examination.

### ***Response to Arguments***

3. Applicant's arguments with respect to the rejection(s) of claim(s) 1-18 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

### ***Claim Objections***

4. Claim 12, 13, 14, 17 are objected to because of the following informalities: the claim recites "the open standard file". There is no antecedent basis for this limitation in the claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eisenhauer et al. (Native Data Representation: an Efficient Wire Format for High

Performance Computing, hereafter Eisenhower), in view of Erickson et al. (US 6,851,089, hereafter Erickson).

7. For claim 1, Eisenhower disclose in an application integration system that communicates messages between applications, a computer-implemented method for transmitting electronic messages that preserves a message format native to both a sending application and at least one receiving application, the method comprising:

receiving a message from the sending application, the message having a message format used by the sending application (3.1.1 lines 1-4, sending message with a format);

wrapping the message in an envelope (3.1.1 lines 1-4, marshalling is to prefix the message with a format token);

routing the envelope with the message through the application integration system (3.1.1, last sentence, send out the marshaled file to the receiving side);

unwrapping the message from the envelope (3.1.2, unmarshalling); and

transmitting the message according to the message format to the receiving application (3.1.2, par.1 last sentence, section 1, par. 4, unmarshalling without converting in homogeneous data format exchange).

Eisenhower does not disclose: the envelope is a markup language file envelope;

However, Erickson discloses the same (abstract, col. 25 line 57-col. 26 line 15, common file format XML, XML wrapper creation and reproduction)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Eisenhauer and Erickson to provide a mechanism for storing and retrieving a wrapper for subsequent use by using wrapper serialization (Erickson, abstract).

8. For claim 2, Eisenhauer-Erickson discloses the invention as in claim 1. Eisenhauer-Erickson further discloses the markup language corresponds to the extensible markup language (XML) (Erickson, col. 25 line 57-col. 26 line 15, XML).

9. For claim 3, Eisenhauer-Erickson discloses the invention as in claim 2. Eisenhauer-Erickson further discloses the message includes one or more data objects, and wherein wrapping the message in a markup language file envelope includes serializing one or more data objects to form an XML file (Erickson, col. 25 line 57-col. 26 line 15, serialization).

10. For claim 4, Eisenhauer-Erickson discloses the invention as in claim 3. Eisenhauer-Erickson further discloses unwrapping the message from the markup language file envelope includes deserializing the one or more data objects (Erickson, col. 25 line 57-col. 26 line 15, serialization reproduction).

11. For claim 6, Eisenhower-Erickson discloses the invention as in claim 1.

Eisenhower-Erickson further discloses storing a copy of the message (3.2.2, fig. 3, 4, caches).

12. For claim 7, Eisenhower discloses a computer-implemented method for transmitting a message from a sending application through an application integration system, the method comprising:

determining a receiving application of the message; determining a file format used by the receiving application (3.2.2, file format caches for storing file format of sending and receiving application);

if the file format used by the receiving application is substantially identical to a file format used by the sending application (3.1.2, par.1 last sentence, section 1, par. 4, unmarshalling without converting in homogeneous data format exchange); and

wrapping the message in a file envelope (3.1.1 lines 1-4, marshalling is to prefix the message with a format token);

routing the file envelope with the message to the receiving application (3.1.1, last sentence, send out the marshaled file to the receiving side).

Eisenhower does not disclose: the envelope is a markup language file envelope;

However, Erickson discloses the same (abstract, col. 25 line 57-col. 26 line 15, common file format XML wrapper)

Eisenhauer-Erickson does not explicitly disclose the wrapping step is in response to the condition of the file format used by the receiving application is substantially identical to a file format used by the sending application;

However, Eisenhauer discloses that if the file format used by the receiving application is substantially identical to a file format used by the sending application, the receiving end uses the wrapped file from the envelope without converting to the receiving end file format (3.1.2, par.1 last sentence, section 1, par. 4).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Eisenhauer and Erickson to provide a mechanism for storing and retrieving a wrapper for subsequent use by using wrapper serialization (Erickson, abstract), and also checking for file format at the sender side instead of at the receiving end side to avoid high conversion overheads (Eisenhauer, 3.1.2, par.1 last sentence).

13. For claim 8, Eisenhauer-Erickson discloses the invention as in claim 7.

Eisenhauer-Erickson further discloses the markup language file envelope defines an XML envelope having as a payload one or more serialized data objects of the message (Erickson, col. 25 line 57-col. 26 line 15, XML serialized message wrapper).

14. For claim 9, Eisenhauer-Erickson discloses the invention as in claim 7.

Eisenhauer-Erickson further discloses determining a file format used by the receiving

application further includes retrieving file format data from a directory (Eisenhauer, 3.2.2, format caches).

15. For claim 10, Eisenhauer-Erickson discloses the invention as in claim 7. Eisenhauer-Erickson further discloses determining a receiving application of the message includes retrieving receiving application data from a directory based on the content of the message (Eisenhauer, 3.2.2, format caches).

16. Claims 5 and 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eisenhauer-Erickson, as applied to claim 1, further in view of Schroeder et al. (US 2002/0099735, hereafter Schroeder).

17. For claim 5, Eisenhauer-Erickson discloses the invention as in claim 1. Eisenhauer-Erickson does not disclose the message format is an Idoc message format.

However, Schroeder discloses the same (fig. 7a, Idoc message format).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Eisenhauer-Erickson and Schroeder to use Idoc message format as a common native file format for the system of Eisenhauer.

18. For claim 11, Schroeder discloses a system for communicating a message file from a sending application in a heterogeneous application network, comprising:



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- an application integration system in communication with the sending application and one or more receiving applications, the application integration system (fig. 4, integration system is the intermediate system between the sender and the receiver) comprising:
- an inbound adapter connected with the sending application (fig. 4, inbound module), and;

Schroeder does not disclose:

- configured to determine at least one receiving application for receiving the message, determine a file format used by the receiving application;
- if the file format used by the receiving application is substantially identical to a file format used by the sending application, wrap the message in a markup language file envelope according to a markup language format used by the application integration system.

However, Eisenhower discloses:

- configured to determine at least one receiving application for receiving the message, determine a file format used by the receiving application (3.2.2, format cache, fig. 3, 4, receiving application format is identified)
- if the file format used by the receiving application is substantially identical to a file format used by the sending application (3.2.2, using file format caches for checking file format of sending and receiving application),
- wrap the message in an envelope (3.1.1 lines 1-4, marshalling is to prefix the message with a format token);

Schroeder-Eisenhauer does not disclose the envelope is a markup language file envelope according to a markup language format used by the application integration system;

However, Erickson discloses the same (abstract, col. 25 line 57-col. 26 line 15, common file format XML wrapper), (also, Schroeder, XML integration system)

Schroeder-Eisenhauer-Erickson does not explicitly disclose the wrapping step is in response to the condition of the file format used by the receiving application is substantially identical to a file format used by the sending application;

However, Eisenhauer discloses that if the file format used by the receiving application is substantially identical to a file format used by the sending application, the receiving end uses the wrapped file from the envelope without converting to the receiving end file format (3.1.2, par.1 last sentence, section 1, par. 4).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Eisenhauer and Erickson to provide a mechanism for storing and retrieving a wrapper for subsequent use by using wrapper serialization (Erickson, abstract), and also checking for file format at the sender side instead of at the receiving end side to avoid high conversion overheads (Eisenhauer, 3.1.2, par.1 last sentence).

19. For claim 12, Eisenhauer-Erickson-Schroeder discloses the invention as in claim 11. Eisenhauer-Erickson-Schroeder further discloses the adapter is further configured to send the open standard file to a message exchange infrastructure of the application

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integration system (Schroeder, fig. 4, a message exchange server using XML with inbound and outbound adapter)

20. For claim 13, Eisenhauer-Erickson-Schroeder discloses the invention as in claim 12. Eisenhauer-Erickson-Schroeder further discloses the exchange infrastructure includes a routing module for routing the open standard file from the sending application to at least one receiving application (Schroeder, fig. 4).

21. For claim 14, Eisenhauer-Erickson-Schroeder discloses the invention as in claim 12. Eisenhauer-Erickson-Schroeder further discloses the exchange infrastructure includes a mapping module for providing read and write access to the one or more data objects in the open standard file (Schroeder, fig. 4, mapping).

22. For claim 15, Eisenhauer-Erickson-Schroeder discloses the invention as in claim 11. Eisenhauer-Erickson-Schroeder further discloses the markup language file envelope includes an XML envelope (Erickson, abstract, col. 25 line 57-col. 26 line 15, common file format XML wrapper).

23. For claim 16, Eisenhauer-Erickson-Schroeder discloses the invention as in claim 15. Eisenhauer-Erickson-Schroeder further discloses a payload of the XML envelope includes the one or more data objects related to the message (Erickson, abstract, col. 25 line 57-col. 26 line 15, serialization in a XML wrapper).

24. For claim 17, Eisenhauer-Erickson-Schroeder discloses the invention as in claim 12. Eisenhauer-Erickson-Schroeder further discloses the exchange infrastructure includes an integration server hosting a runtime engine for routing the open standard file to the at least one receiving application determined by the adapter (Schroeder, fig. 4, integration server for routing XML messages to receiving application).

25. For claim 18, Eisenhauer-Erickson-Schroeder discloses the invention as in claim 11. Eisenhauer-Erickson-Schroeder further discloses an outbound adapter connected with the receiving application, the outbound adapter configured to unwrap the message from the markup language file envelope to provide the message in the file format used by the receiving application (Eisenhauer, 3.1.2, par.1 last sentence, section 1, par. 4, unmarshalling at receiving application end in homogeneous case is just unwrapping the envelope).

### ***Conclusion***

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

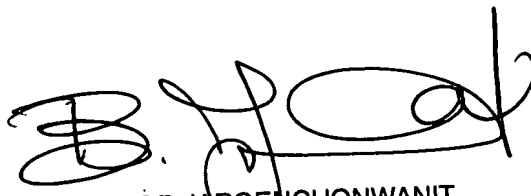
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HH

  
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SUPERVISORY PATENT EXAMINER  
4/9/7